

8923/PMK  
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**UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK**

THE TRAVELERS as subrogee of DORSON INC.,  
 and EDDIE BAUER, INC., THE HARTFORD  
 INSURANCE CO., as subrogee of CROSS  
 ISLAND TRADING CO., INC., and GREAT  
 AMERICAN INSURANCE CO., as subrogee of  
 DO IT BEST CORP.,

Plaintiffs,

-against-

M/V "EASLINE TIANJIN", her engines, boilers  
 etc.,

- and -

KAWASAKI KISEN KAISHIA LTD.; YANG  
 MING MARINE TRANSPORT LTD.; PHOENIX  
 INTERNATIONAL FREIGHT SERVICES LTD.,  
 LAUFER FREIGHT LINES, LTD., APL  
 LOGISTICS, HYUNDAI MERCHANT MARINE,  
 LTD. and UCB FREIGHT SERVICES.

Defendants.

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #: 10/24/07  
 DATE FILED: 10/24/07

**07 cv 3104 (RPP)**

**Related cases:**

**06 cv 13439 (RPP)**  
**07 cv 1357 (RPP)**  
**07 cv 2562 (RPP)**  
**07 cv 3180 (RPP)**  
**07 cv 959 (RPP)**

**ECF CASE**

**PARTIAL  
 STIPULATION OF DISMISSAL  
 WITH PREJUDICE**

WHEREAS, as to the cargo claims number 06-P-017(A) – RB and 06-P-017(D)-RB, set forth in Schedule B of the Second Amended Complaint (hereinafter "YML Schedule B Claims"), a

settlement agreement has been reached between plaintiff and defendant Yang Ming Marine Transport Corp., incorrectly sued as Yang Ming Marine Transport Ltd. (hereinafter "YML");

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for the YML Schedule B claims, no party hereto being an infant or incompetent:

1. Any and all claims, cross-claims, counterclaims, and third party claims asserted herein against defendants YML, PHOENIX INTERNATIONAL FREIGHT SERVICES, LTD. and LAUFER FREIGHT LINES, LTD. in regard to the YML Schedule B claims are dismissed pursuant to Rule 41(a) (1) and (c) Fed. R. Civ. P., with prejudice and without costs to any party as against any other party.

2. All claims by any and all parties to the YML Schedule B claims against defendants YML, PHOENIX INTERNATIONAL FREIGHT SERVICES, LTD. and LAUFER FREIGHT LINES, LTD. which have not been pleaded herein, but which arise out of any of the transactions, occurrences and events giving rise to the YML Schedule B Claims of plaintiff and any and all cross-claims, counterclaims, and third party claims which have been pleaded herein relating to the YML Schedule B claims, are irrevocably waived.

3. In the event the settlement is not consummated within 45 days of the entry of this order, the action as to the YML Schedule B Claims will be restored to the active docket upon letter application of plaintiff's counsel.

4. Upon consummation of the settlement with plaintiff reference to defendants YML, PHOENIX INTERNATIONAL FREIGHT SERVICES, LTD. and LAUFER FREIGHT LINES, LTD. shall be omitted from the caption in all future pleadings in this action;

5. As to the remaining cargo claims set forth in Schedule B of the Second Amended Complaint, i.e. claims no. 06-P-017(B)-RB, 06-P-017(E)-RB and 07-H-536-RB, this action will proceed and continue forward against the remaining defendants in those claims.

Dated: New York, NY  
October 19, 2007

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SO ORDERED:

U.S.D.J.

Dated: New York, NY  
October   , 2007

5. As to the remaining cargo claims set forth in Schedule B of the Second Amended Complaint, i.e. claims no. 06-P-017(B)-RB, 06-P-017(E)-RB and 07-H-536-RB, this action will proceed and continue forward against the remaining defendants in those claims.

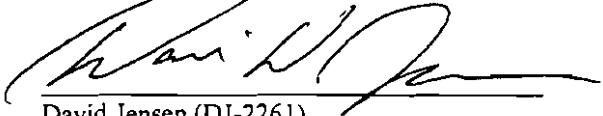
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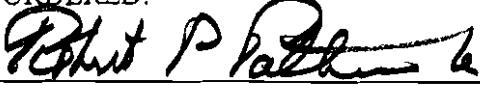
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SO ORDERED:

  
U.S.D.J.

Dated: New York, NY  
October 20, 2007